

SAMOA

Arrangement of Provisions

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2013 No. 20

AN ACT to repeal the Agriculture Store Corporation Act 1975 and for related purposes. *[9th August 2013]*

BE IT ENACTED by the Legislative Assembly of Samoa in Parliament assembled as follows:

1. Short title and commencement-(1) This Act may be cited as the Agriculture Store Corporation Repeal Act 2013.

(2) This Act commences on a date nominated by the Minister of Finance.

2. Dissolution of the Corporation - The Agriculture Store Corporation established under the Agriculture Store Corporation Act 1975 is dissolved.

3. Validation of incorporation - The incorporation of the Agriculture Store Corporation Limited is regarded as validly registered and made and, despite the provisions of any other law to the contrary, no right of action shall exist to challenge its incorporation under that name.

4. Transfer and vesting of assets, etc.-(1) Subject to subsection (2), any assets, property, funds, rights and liabilities of the Agriculture Store Corporation that existed at the commencement of this Act are transferred to and vested in the Agriculture Store Corporation Limited.

(2) The assets and property of the Agriculture Store Corporation set out in the Schedule are transferred to and vested in the Government at the commencement of this Act.

(3) For the purpose of this section, “land” listed as Asset No. 2, in the Schedule includes any building on it.

5. Monopolisation-(1) A person, who may be, or is, in a position to substantially control the market as a result of the privatisation of Agriculture Store Corporation Limited, shall not be eligible for consideration in such privatisation process.

(2) For the purpose of this section “market” means the market in which the Agriculture Store Corporation formerly traded, and that in which the Agriculture Store Corporation Limited shall trade.

6. Transitional and saving - At the commencement of this Act:

- (a) all actions, suits, proceedings and acts of authority lawfully taken by or on behalf of the Agriculture Store Corporation continue under the name of and as if made by the Agriculture Store Corporation Limited;
- (b) contracts, agreement or other business arrangement of the old Corporation continue under the name of and as if made by the Agriculture Store Corporation Limited;

- (c) staff or persons engaged by the Agriculture Store Corporation continue as staff or persons regarded as engaged by the Agriculture Store Corporation Limited;
- (d) borrowing, debenture, mortgage, charge or investment of the Agriculture Store Corporation continue under the name of and as if made by the Agriculture Store Corporation Limited.

7. Conditions - Cabinet may approve conditions necessary for giving full effect to the tender process and due administration of such process.

8. Repeal - The Agriculture Store Corporation Act 1975 is repealed, including any regulations or other statutory instruments made under it.

**SCHEDULE
(Section 4)**

No.	Asset	Asset Description
1	Land	LAND DESCRIPTION Freehold Land Lot 545 in Plan 5410 1,057 square meters At Savalalo District of Tuamasaga
2	Land	LAND DESCRIPTION Freehold Land Lot 1 in Plan 10009 4,606 square meters At Vaitele District of Tuamasaga

**The Agriculture Store Corporation Repeal Act 2013
is administered by the Ministry of Finance.**

Printed by the Clerk of the Legislative Assembly,
by authority of the Legislative Assembly.